



General Assembly

February Session, 2000

Amendment

LCO No. 4916

Offered by:

REP. TULISANO, 29th Dist.

To: Subst. House Bill No. 5130

File No. 22

Cal. No. 80

"An Act Concerning Court Operations."

1 Strike lines 170 to 179, inclusive, in their entirety and substitute the
2 following in lieu thereof:

3 "(c) A judge of the Supreme Court who has attained the age of
4 seventy years may continue to deliberate and participate in all matters
5 concerning the disposition of any case which the judge heard prior to
6 attaining said age, until such time as the decision in any such case is
7 officially released. The judge may also participate in the deliberation of
8 a motion for reconsideration in such case if such motion is filed within
9 ten days of the official release of such decision."

10 Strike section 12 in its entirety and substitute the following in lieu
11 thereof and renumber the remaining section accordingly:

12 "Sec. 12. Subsection (h) of section 51-44a of the general statutes, as
13 amended by section 2 of public act 99-267, is repealed and the
14 following is substituted in lieu thereof:

15 (h) (1) Judges of all courts, except those courts to which judges are

16 elected, shall be nominated by the Governor exclusively from the list of
17 candidates or incumbent judges submitted by the Judicial Selection
18 Commission. Any candidate or incumbent judge who is nominated
19 from such list by the Governor to be Chief Justice of the Supreme
20 Court, and who is appointed Chief Justice by the General Assembly,
21 shall serve a term of eight years from the date of appointment. The
22 Governor shall nominate a candidate for a vacancy in a judicial
23 position within forty-five days of the date he receives the
24 recommendations of the commission. When considering the
25 nomination of an incumbent judge for reappointment to the same
26 court, the Governor may nominate the incumbent judge if the
27 commission did not deny recommendation for reappointment.
28 Whenever an incumbent judge is denied recommendation for
29 reappointment to the same court by the commission or is
30 recommended by the commission but not nominated by the Governor
31 for reappointment to the same court, or whenever a vacancy in a
32 judicial position occurs or is anticipated, the Governor shall choose a
33 nominee from the list of candidates compiled pursuant to subsection
34 (f) of this section. (2) Notwithstanding the provisions of subdivision (1)
35 of this subsection and subsection (f) of this section, the Governor may
36 nominate an associate judge of the Supreme Court to be Chief Justice
37 of the Supreme Court without such judge being investigated and
38 interviewed by the commission and being on the list of qualified
39 candidates compiled and submitted to the Governor by the
40 commission. An associate judge of the Supreme Court who has been
41 nominated by the Governor to be Chief Justice of the Supreme Court in
42 accordance with this subdivision, and who is appointed Chief Justice
43 by the General Assembly, shall serve an initial term as Chief Justice
44 equal to the remainder of such judge's term as an associate judge of the
45 Supreme Court.

46 Sec. 13. Subsection (e) of section 20 of public act 99-185, as amended
47 by section 2 of public act 00-49, is repealed and the following is
48 substituted in lieu thereof:

49 (e) If a party alleges in an affidavit or a pleading or on a form

50 prescribed by the Office of the Chief Court Administrator under oath
51 that the health, safety or liberty of a party or child would be
52 jeopardized by disclosure of location information, the information
53 must be sealed and shall not be disclosed to the other party or the
54 public unless the court, after a hearing, determines that it is in the
55 interest of justice that such disclosure be made.

56 Sec. 14. Subsection (d) of section 24 of public act 99-185, as amended
57 by section 3 of public act 00-49, is repealed and the following is
58 substituted in lieu thereof:

59 (d) A hearing to contest the validity of the registered determination
60 shall be requested within twenty days after service of the notice. Such
61 hearing shall be held within twenty days of the receipt of such request.
62 At that hearing, the court shall confirm the registered order unless the
63 respondent establishes that: (1) The issuing court did not have
64 jurisdiction under a provision substantially similar to section 12, 13 or
65 14 of public act 99-185; (2) the child custody determination sought to
66 be registered has been vacated, stayed or modified by a court having
67 jurisdiction to do so pursuant to a statute substantially similar to
68 sections 12 to 14, inclusive, of public act 99-185; or (3) the respondent
69 was entitled to notice of the proceedings before the court that issued
70 the order for which registration is sought, but such notice was not
71 given in a manner reasonably calculated to give actual notice."

72 In line 235, after "that" insert "sections 13 and 14 shall take effect July
73 1, 2000,"